

Pro Se 1 (Rev. 12/16) Complaint for a Civil Case

FILED

**UNITED STATES DISTRICT COURT**  
for the  
**Northern District of California**   
**Civil Division**

NOV 19 2021

CLERK, U.S. DISTRICT COURT  
NORTH DISTRICT OF CALIFORNIA

CAPTAIN GRANT MITCHELL SAXENA, U.S.A., RET.

) Case No. CV 21 8980

*(to be filled in by the Clerk's Office)*

JSW

**Plaintiff(s)**

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

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GINO & CARLOS INC, MARCO ROSSI, FRANK S.  
ROSSI, RONALD P. MINOLLI, PATRICK M.  
LAWLOR, DANIEL P. SNELL, GEORGE T. HOWELL,  
PATRICK S. MCCORMICK

*Defendant(s)*

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## **COMPLAINT FOR A CIVIL CASE**

## **I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	CAPTAIN GRANT MITCHELL SAXENA, U.S.A., RETIRED
Street Address	7190 W SUNSET BLVD #100E
City and County	LOS ANGELES
State and Zip Code	CA 90046
Telephone Number	442-229-4026
E-mail Address	GRANT.SAXENA@GMAIL.COM

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (*if known*). Attach additional pages if needed.

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*



Federal question



Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

18 USC Ch. 7 §113. Assaults within maritime and territorial jurisdiction.

- (1) Assault with intent to commit murder or a violation of section 2241 or 2242
- (6) Assault resulting in serious bodily injury

### B. If the Basis for Jurisdiction Is Diversity of Citizenship

#### 1. The Plaintiff(s)

##### a. If the plaintiff is an individual

The plaintiff, *(name)* GRANT MITCHELL SAXENA, is a citizen of the State of *(name)* COLORADO.

##### b. If the plaintiff is a corporation

The plaintiff, *(name)* \_\_\_\_\_, is incorporated under the laws of the State of *(name)* \_\_\_\_\_, and has its principal place of business in the State of *(name)* \_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

#### 2. The Defendant(s)

##### a. If the defendant is an individual

The defendant, *(name)* PATRICK MICHAEL LAWLER, is a citizen of the State of *(name)* CALIFORNIA. Or is a citizen of *(foreign nation)* CALIFORNIA.

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**Defendant No. 1**

Name	<u>GINO &amp; CARLOS, INC.</u>
Job or Title ( <i>if known</i> )	<u>BAR</u>
Street Address	<u>548 GREET STREET</u>
City and County	<u>SAN FRANCISCO</u>
State and Zip Code	<u>CA, 94133</u>
Telephone Number	<u>(415) 421-0896</u>
E-mail Address ( <i>if known</i> )	

**Defendant No. 2**

Name	<u>PATRICK MICHAEL LAWLOR</u>
Job or Title ( <i>if known</i> )	<u>BOUNCER</u>
Street Address	<u>548 GREEN ST</u>
City and County	<u>SAN FRANCISCO</u>
State and Zip Code	<u>CA, 94133</u>
Telephone Number	
E-mail Address ( <i>if known</i> )	

**Defendant No. 3**

Name	<u>MARCO ROSSI</u>
Job or Title ( <i>if known</i> )	<u>OWNER</u>
Street Address	<u>548 GREEN ST</u>
City and County	<u>SAN FRANCISCO</u>
State and Zip Code	<u>CA, 94133</u>
Telephone Number	
E-mail Address ( <i>if known</i> )	

**Defendant No. 4**

Name	<u>FRANK SILVIO ROSSI</u>
Job or Title ( <i>if known</i> )	<u>OWNER</u>
Street Address	<u>548 GREEN ST</u>
City and County	<u>SAN FRANCISCO</u>
State and Zip Code	<u>CA, 94133</u>
Telephone Number	
E-mail Address ( <i>if known</i> )	

**ADDITIONAL DEFENDANTS**

1           Defendant No. 5

2           Name: RONALD PAUL MINOLLI

3           Job or Title: DIRECTOR

4           Street Address: 548 GREEN ST.

5           City & County SAN FRANCISCO

6           State & Zip Code: CA, 94133

7           Telephone Number

8           E-mail Address (if known)

9  
10          Defendant No. 6

11          Name: DANIEL PAUL SNELL

12          Job or Title: BARTENDER

13          Street Address: 548 GREEN ST.

14          City & County SAN FRANCISCO

15          State & Zip Code: CA, 94133

16  
17          Defendant No. 7

18          Name: GEORGE THOMAS HOWELL

19          Job or Title: ACCOMPLICE

20          Street Address: 548 GREEN ST.

21          City & County SAN FRANCISCO

22          State & Zip Code: CA, 94133

23  
24          Defendant No. 8

25          Name: PATRICK SCOTT MCCORMICK

26          Job or Title: CUSTOMS & BORDER PROTECTION AGENT

27          Street Address: 510 CHESTNUT ST.

28          City & County SAN FRANCISCO

29          State & Zip Code: CA, 94133

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b. If the defendant is a corporation

The defendant, (name) GINO & CARLOS, is incorporated under the laws of the State of (name) CALIFORNIA, and has its principal place of business in the State of (name) CALIFORNIA.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_, and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):  
\$250,000

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III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

CPT Saxena is a 100% disabled veteran and was gruesomely assaulted by violent convict and pro-boxer Patrick Michael Lawlor, at the same location of his recent crime M17#06292 - Gino & Carlos, Inc. San Francisco, CA. Police report #170-371-488. Serious bodily harm to Captain Saxena included an emergency room hospital surgery via ambulance, three (3) broken teeth, six (6) stitches over left eye, broke nose, bruised rib, and massive concussion ontop of a pre-existing traumatic brain injury and broken spine from overseas service. Ultimately CPT Saxena is paralyzed early in life due to this attack. Mr. McCormick actively suppressed the victim with threats of violence from 2017-2021, until Judge Randle restrained McCormick with protection order CCH21-583900.

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IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Medical bills, restitution for loss of enjoyment of life due to physical therapy, severe emotional distress, and intentional suffering maliciously inflicted through violence to a disabled adult. Assault results in chronic migraines and partial paralysis ongoing for disabled-veteran victim Captain Saxena, therefore requested relief is for the monetary sum of \$250,000.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/16/2021

Signature of Plaintiff



Printed Name of Plaintiff

GRANT MITCHELL SAXENA

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

\_\_\_\_\_

Printed Name of Attorney

\_\_\_\_\_

Bar Number

\_\_\_\_\_

Name of Law Firm

\_\_\_\_\_

Street Address

\_\_\_\_\_

State and Zip Code

\_\_\_\_\_

Telephone Number

\_\_\_\_\_

E-mail Address

\_\_\_\_\_